

This presentation provides guidance on placing rated orders under the Defense Priorities and Allocations System (DPAS) to ensure continuity of Government operations for the Novel Coronavirus Disease 2019 (COVID-19).

GSA's Role in Responding to COVID-19



GSA has a vital role in protecting human life and Federal property. In that role, authorized contracting officers may need to place rated orders to acquire key items for essential operations of Federal buildings or other Government functions.



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As described in SPE Memo SPE-2020-06, GSA has a vital role in protecting human life and Federal property through the GSA supply system during the COVID-19 emergency.

The General Services Acquisition Manual (GSAM) subpart 511.6 states: \[\proceed \text{Pursuant} \] to the Defense Priorities and Allocations System (DPAS) Delegation 3, the Department of Commerce (DOC) has delegated to GSA the authority to use the DPAS under certain conditions. DPAS Delegation 3 restricts use of DPAS authority to GSA supply system procurement in support of the Department of Defense (DoD), Department of Energy (DoE), and Federal Emergency Management Agency (FEMA) approved programs.

In that role, contracting officers may need to place rated orders to acquire key items for essential operations of Federal buildings or other Government functions.

Common supplies that may be needed include: 1) hand sanitizer, disinfectants, cleaning gloves and so forth to keep buildings safe and habitable to the public, and 2) laptop computers, accessories, and other IT products to support sharply increasing levels of telework.

What is the Defense Production Act?



- The Defense Production Act of 1950 (DPA):
 - The DPA was enacted at the start of the Korean War as part of a broad war and civil defense mobilization effort.
 - The DPA was created to ensure the availability of the country's industrial resources to address national security requirements.
 - President's primary authority to mobilize resources and expedite critical industrial items for national defense, including materials, services, and facilities
 - · Requires priority in acceptance and priority in scheduling



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National defense includes emergency preparedness activities conducted pursuant to Title VI of the Stafford Act and critical infrastructure protection and restoration.

Title 1 of the DPA is the statutory basis for the National Defense Resources Preparedness Executive Order (Executive Order 13603) and the DPAS Regulation (15 CFR Part 700).

The definition also includes emergency preparedness activities conducted pursuant to Title VI of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195, et seq.) and critical infrastructure protection and restoration.

Executive Order (E.O.) 13603



- The purpose of the National Defense Resources Preparedness executive order (Executive Order 13603) is to delegate authority and address national defense resource programs and policies under the DPA.
- Executive Order 13603 provides the authority and framework for the prioritization and allocation of resources, services, and materials to promote the national defense.



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Executive Order 13603 is the document where the President has delegated his authorities under the DPA to various agencies.

Federal Priorities and Allocations System (FPAS)



- Section 201 of Executive Order 13603 delegates the authority granted to the President by the DPA (i.e., to require preferential acceptance and performance of contracts/orders for approved programs, and to allocate materials, services, and facilities to promote these approved programs) to the following Federal departments:
- Agriculture: food resources, food resource facilities
- Energy: all forms of energy
- Health and Human Services: health resources
- Transportation: civil transportation
- Defense: water resources
- <u>Commerce</u>: all other materials, services and facilities, including construction materials (i.e., industrial resources)



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Note that GSA only has authority to use the DPAS, not other FPAS rules. This slide is to convey that GSA contractors should not seek to rate items that fall under other rules.

What is DPAS?



- The Defense Priorities and Aliocations System (DPAS) was established after the
 Defense Production Act of 1950, designed primarily to ensure the timely
 availability of industrial resources to meet national defense and emergency
 preparedness requirements
- As an agency with DPAS rating authority, GSA is authorized to establish procedures for the placement, acceptance, and performance of rated orders



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The Defense Priorities and Allocations Systems, or DPAS was established to provide U.S. Government agencies a procedure and authority to ensure the timely availability of industrial resources to meet national defense and emergency preparedness requirements.

DPAS is administered by the Department of Commerce and provides authority to U.S. Government agencies (and other authorized persons/entities) to order priority performance on contracts and orders as well as allocate materials to meet national security requirements.

The Department of Commerce has delegated GSA an authority to place priority ratings on contracts/orders when necessary and appropriate to promote the national defense. This authority allows GSA for the placement, acceptance, and performance of rated orders.

What is a Rated Order?



- A rated order is a contract or order placed in support of a national defense program that takes precedence over all unrated orders, when necessary to meet delivery dates specified in the rated order
- Rated orders provide for preferential acceptance and performance, such as expedited delivery or priority fulfillment, for materials and services to support emergency preparedness and emergency response activities



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A rated order is a prime contract, a subcontract, or a purchase order issued in accordance with the provisions of the DPAS regulation that supports an approved program.

Rated orders take preference over all unrated orders as necessary to meet required delivery dates; therefore, persons are required to reschedule unrated orders if they conflict with performance against a rated order.

Companies who receive rated orders must in turn place rated orders with their suppliers for the items they need to fill these orders.

How was the DPAS Authorized?



- The DPAS was established pursuant to the the Defense Production Act of 1950
- Executive Order 13603 established the Departments of Homeland Security (DHS),
 Defense (DOD), and Energy (DOE) as the responsible agencies to determine DPAS eligibility
- An Emergency Declaration to respond to COVID-19 was made on March 13, 2020
- DHS, through FEMA, determined GSA's emergency response program for COVID-19 was eligible for use of the DPAS on March 14, 2020
- On March 16, 2020 GSA was authorized to provide telework emergency response equipment and cleaning supplies for GSA's response and recovery activities



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Title 1 of the Defense Production Act (DPA) is the statutory basis for the DPAS. The DPA established the DPAS to prioritize national defense related orders throughout the U.S. supply chain in order to support various activities, including emergency preparedness.

The DPA's definition of "national defense" includes programs for: Military, energy production, construction, critical infrastructure assistance to any foreign nation, homeland security, stockpiling, space, and any directly related activity

The use of this authority by the government is not rare. DoD estimates it invokes the law over 300,000 times per year, while DHS, including FEMA, placed over 1,000 rated orders in 2018. DPAS does not allow the government to take over the operations of a company. The law simply allows an authorized agency's order to "jump ahead" of other clients, to complete the government's order by a specific date.

The definition also includes emergency preparedness activities conducted pursuant to Title VI of The Robert T. Stafford Disaster Relief and Emergency Assistance Act and critical infrastructure protection and restoration.

In response to the COVID-19 pandemic an Emergency Declaration invoking the Stafford Act was made by the President on March 13, 2020.

What Types of Rated Orders May GSA issue?



- There are two levels of priority established by DPAS regulation, identified by the rating symbols "DX" and "DO"
- Primarily, the Administrator is delegated authority to place DO (Critical to national defense) priority rated contracts.
 - All DO rated orders have equal priority and take preference over unrated orders (based on ship schedule)
- The Administrator may place DX (Highest National Urgency) priority rated contracts and orders in direct support of those Department of Defense (DOD) or Department of Energy (DOE).
 - All DX rated orders have equal priority and take preference over DO and unrated orders (based on ship schedule)



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GSA personnel, GSA contractors, and recipients of rated orders must use the right program identification symbol as authorized by the appropriate resource agency.

GSA's Role in Supporting Client Agency Priority Ratings under DPAS



- Upon determining the needs, GSA provides priority assistance, through the GSA Global Supply, can place priority ratings, DO and DX, on rated orders for DoD, DoE, and DHS (FEMA)
- These requirements for industrial resources normally come in through the requisition system
 - GSA Global Supply centers are authorized to place rated orders for these entities as DO or DX
- Rated orders through the GSA Global Supply can include the special authorities for COVID-19 and many other critical needs of DoD, DoE, or FEMA
 - GSA, GSA personnel, GSA contractors, and recipients of rated orders must use the same program
 identification symbol as authorized by the appropriate resource agency



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GSA personnel, GSA contractors, and recipients of rated orders must use the right program identification symbol as authorized by the appropriate resource agency.

Place priority ratings on contracts and orders for industrial resources needed to implement any program related to food resources, energy resources, health resources, civil transportation, or water resources determined by the Secretary as necessary or appropriate to promote the national defense and authorized for priorities support by the appropriate resource agency (i.e., the Departments of Agriculture, Energy, Health and Human Services, Transportation, or Defense).

What special authority does GSA have to Order Under DPAS specific to COVID-19?

GSA is authorized to order supplies for response and recovery activities from present through March 31, 2022, or until the Emergency Declaration is rescinded.

Rated orders from GSA are only authorized for three categories of products:

- · Cleaning Supplies
- Telework Support IT
- Emergency Healthcare IT



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March 16, 2020 the Department of Commerce provided rating authorization to GSA on use of the DPAS to provide telework equipment and cleaning supplies for GSA's response and recovery activities. Cleaning Supplies, IT Telework Products, and Healthcare IT Product.

The authority to order these supplies using rated orders runs from present time through March 31, 2022 or until the Emergency Declaration under the Stafford Act is rescinded by the President.

Please note: All Federal agency requests for personal protective equipment (PPE) must be worked by their own agency. FEMA is not taking requests from other Federal agency unless the agency is supporting a FEMA mission and needs critical supplies to meet the mission. Federal agencies can use any of GSA's vehicles to assist them in meeting their mission. The National Response Coordination Center (NRCC) is managing acquisition requests for PPE. Contracting Officers should direct acquisition requests for PPE to the NRCC.

Cleaning Supply Products



Cleaning supplies are identified by the priority rating symbol DO-N7 on contracts or orders. Examples of these products include:

- · Disinfecting Wipes
- Cleaning Gloves
- Hand Sanitizer
- · Bathroom/Toilet Cleaner
- * Click here for a full list of GSA approved/EPA registered products



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IT Support Products



IT Support Products are supplies identified by the priority rating symbol DO-N1 on contracts or orders. Examples of these products include:

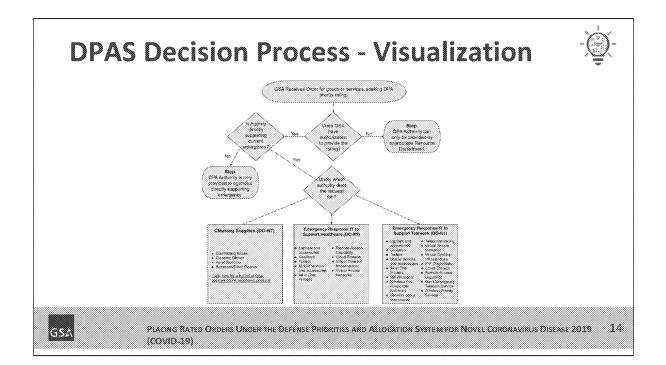
Telework Support IT

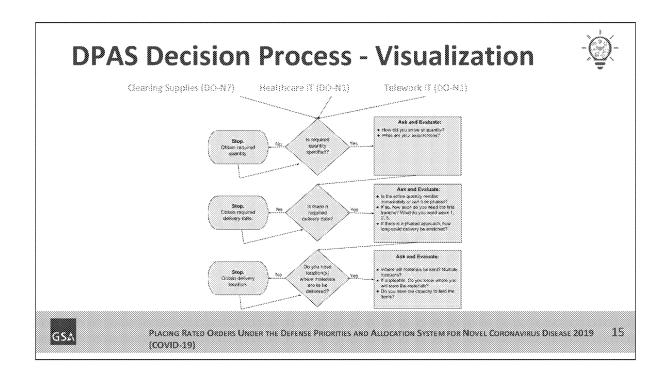
Emergency Healthcare IT

- Telecom Network Equipment and Circuits
- Wireless Priority Services (WPS)
- Wireless First Responders Solutions
- Personal Identity Verification (PIV)
- Government Emergency Telecommunications
 Service (GETS)
- Laptops/Desktops/Tablets
- Virtual Private Networks (VPN)
- Cloud Storage
- Remote Access Capability (SIN 518210C/132-40 cloud products)
- All-in-one Printers



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Supplemental Questions on Key Assumptions

Quantity:

How did you arrive at the quantity? What are your assumptions?

Timeliness:

Is the entire quantity needed immediately or can it be phased? If so, how soon do you need the first tranche? What do you need week 1, 2, 3...

If there is a phased approach, how long could delivery be stretched?

Feasibility to Field/Store Materials Where will materials be sent? Multiple locations? If applicable. Do you know where you will store the materials? Do you have the capacity to field the items?

DPAS Questions to Consider

Quantity

- How did you arrive at quantity?
- What are your assumptions?

Delivery Date

- Is the entire quantity needed immediately or can it be phased?
- If so, how soon do you need the first tranche? What do you need week 1, 2, 3...
- If there is a phased approach, how long would delivery be stretched?

Location

- Where will materials be sent? Multiple locations?
- If applicable. Do you know where you will store the materials?
- Do you have the capacity to field the items?



New Requirements for Placing Ratings



On March 27, 2020 an Executive Order on on Delegating Additional Authority Under the DPA which created a new process requiring GSA to request approval for priority rating through FEMA by the Unified Coordination Group (UCG) and the White House Task Force (WHTF)

COs must send priority rating requests to the Joint DPA Office (FEMA-DefenseProductionAct-CoordinationGroup@fema.dhs.gov) and cc the GSA Senior Procurement (spe.request@gsa.gov). COs should complete the following form which should include succinct talking points

Requests must be approved by the UCG and WHTF **BEFORE** a priority rating can be placed on a contract



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COVID-19 UCG/WHTF REQUEST FORM



Helpful hints on information requested for UCG/WHTF:

- SITUATION:
 - Use bullets with short and simple sentences. Use plain English terms with no acronyms.
 - Provide high level information that can be briefed to the UCG in under five minutes. This is sometimes called "elevator speech".
 - Information must be as accurate as possible. Site your source, when possible
- AUTHORITY REQUESTED:
 - Identify the specific DPA authority being requested (e.g. Emergency Response IT to Support Healthcare (DO-N1); Emergency Response IT to Support Telework (DO-N1), or Cleaning Supplies (DO-N7)



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Who Can Place a Rated Order?



The GSA Administrator delegated authority to place DO and DX rated orders for approved DoD, DOE and DHS programs to:

- The Commissioner of the Federal Acquisition Service (FAS)
- · This authority was re-delegated to
 - The Assistant Commissioner for General Supplies and Services Categories (GSS)
 For the Emergency Contracting Division;
 - The Assistant Commissioner for Assisted Acquisition Services
 For the the Federal Civilian Group within the Federal Systems Integration and Management Center



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The delegations manual, chapter 4, part 3 paragraph (p) authorizes the longstanding authorities for GSS and TTL to place DO an DX orders for approved DoD, DHS and DOE programs.

On March 17, 2020, the AC for General Supplies and Services was delegated authority to place rated orders for IT telework equipment and cleaning supplies. The GSS Central Office Acquisition Division (QSAB) within the Office of General Supplies and Services (QS) was identified as the contracting organization to support all of these purchases.

The GSS Central Office Acquisition Division (QSAB) within the Office of General Supplies and Services (QS) has the sole contracting authority to award DPAS rated orders to ensure continuity of Government operations for COVID-19. While QSAB may request contracting support from other FAS contracting activities, only QSAB is authorized to award DPAS rated orders. Note that GSA Global Supply will place DPAS-rated requisitions from authorized customers to the contractors.

FAS contracting activities should forward customer requests for DPAS rated orders to QME at covid19support@gsa.gov In order to establish the coordination and assigning of customers and FAS-funded acquisitions in direct support of the COVID-19 response, FAS issued Procurement Information Notice (PIN) 2020-01 FAS Acquisitions in Support of the Novel Coronavirus Disease 2019 Pandemic Response. Please refer to PIN 2020-01 for information of how customers will be assigned, the type of contracting activities authorized, and additional resources.

The Senior Procurement Executive is also required to issue policies and procedures to monitor the acquisitions that carry a priority rating, identify any allegations of DPAS violations for reporting to the Department of Commerce, Bureau of Industry and Security (DOC/BIS), and monthly reporting to the DOC/BIS on the contracts assigned priority ratings and their dollar value.

Who Can Place a Rated Order?



GSA Global Supply has pre-existing authority to place rated orders on behalf of DoD, DoE, and FEMA

The GSA Administrator delegated authority to place DO rated orders for COVID response to:

The FAS Commissioner and the GSS AC.

GSS Central Office Acquisition Division (QSAB) has been delegated contracting authority to award DPAS rated orders to ensure continuity of Government operations for COVID-19. While QSAB may request contracting support from other FAS contracting activities, only OSAB is authorized to award DPAS rated orders.



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On March 17, 2020, the AC for General Supplies and Services was delegated authority to place rated orders for IT telework equipment and cleaning supplies. On March 25, they were also delegated authority to place rated orders for IT for healthcare.

The GSS Central Office Acquisition Division (QSAB) within the Office of General Supplies and Services (QS) has the sole contracting authority to award DPAS rated orders to ensure continuity of Government operations for COVID-19. While QSAB may request contracting support from other FAS contracting activities, only QSAB is authorized to award DPAS rated orders. Note that GSA Global Supply will place DPAS-rated requisitions from authorized customers to the contractors. FAS contracting activities should forward customer requests for DPAS rated orders to QME at covid19support@gsa.gov In order to establish the coordination and assigning of customers and FAS-funded acquisitions in direct support of the COVID-19 response, FAS issued Procurement Information Notice (PIN) 2020-01 FAS Acquisitions in Support of the Novel Coronavirus Disease 2019 Pandemic Response. Please refer to PIN 2020-01 for information of how customers will be assigned, the type of contracting activities authorized, and additional resources.

The Senior Procurement Executive is also required to issue policies and procedures to monitor the acquisitions that carry a priority rating, identify any allegations of DPAS violations for reporting to the Department of Commerce, Bureau of Industry and Security (DOC/BIS), and monthly reporting to the DOC/BIS on the contracts assigned priority ratings and their dollar value.

Who Can Place a Rated Order?



The General Supplies and Services Categories (GSS) Internal Acquisition branch will provide COVID-19 contracting support to assist GSA's internal and external customers. Customer requirements should be sent to covid19support@gsa.gov

GSS will also serve as a backup should FEMA not be able to establish normal logistical coordination for incoming requirements. A dedicated support email exists for these orders coming directly from FEMA - fema.acquisitions@gsa.gov

Please note - PPE requests from Federal agencies will only be fulfilled by FEMA if that agency is supporting a FEMA mission. These requests should be sent to - fema-nrcc-rcbd@fema.dhs.gov



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Incoming customer requirements should be sent to covid19support@gsa.gov, a dedicated email site to manage the incoming procurement requests from outside agencies or PBS. FAS Emergency Management Program Management office (QME) will review the requirements and assign to GSS's Internal Acquisitions branch (QSABB) contracting staff or to a contracting office elsewhere in FAS with the appropriate expertise.

It's important to remember that this is the backup process should FEMA and HHS not be able to establish the normal logistical coordination for incoming requirements. If that happens, the same processes apply, but will be coming from FEMA directly to the dedicated FEMA support email - fema.acquisition@gsa.gov.

All assisted acquisition Personal Protective Equipment (PPE) requests from agencies that are supporting a FEMA mission should be directed to FEMA at the following email: fema-nrcc-rcbd@fema.dhs.gov. Please remember that FEMA is only taking requests from other Federal agency if that agency is supporting a FEMA mission and needs critical supplies to meet the mission. PPE requests from agencies NOT supporting a FEMA mission must be worked by their own agency.

Additionally, all donations from other agencies should also go to: fema-nrcc-rcbd@fema.dhs.gov. 🛭



Authorized GSA contracting officers can place rated orders under the DPAS for GSA's emergency response program for COVID-19 activities subject to the following requirements:

- Contact Existing Vendors
- · Validates Priority Ratings
- · Acceptance and Rejection
- Customer Notification Requirements
- Subcontractors
- Fulfillment
- Reporting
- Training



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Contact Existing Vendors

- Existing Government sources of supply should be considered first
- Confirm if the required supplies are available
- Phone a reasonable number of sources and explain that a rated order will take
 priority over other orders in the pipeline and the supplier must accept or reject the
 order
- · Confirm available delivery time and pricing
- Inform the source that written acceptance is required



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Existing Government sources of supply and contract vehicles should be considered first. Check to see if the required supplies are available. Phone a reasonable number of sources and explain this will be a rated order which would take priority over other orders in the pipeline. Confirm available delivery time and pricing. Inform the source that written acceptance is required. A "priority rating" placed on a contract or purchase order notifies a supplier that a contract is supporting a national defense program (including emergency preparedness requirements) and that the supplier must accept and give the order priority, as necessary to meet the required delivery requirement of each rated order.



Validate Priority Ratings - Review the requirements to ensure orders are properly rated

- Include the priority rating, DO-N1 (Telework Support IT/Emergency Healthcare IT Products) and DO-N7 (Cleaning Products)
- · Identify a required delivery date
- Include FAR Provision 52.211-14



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Review the requirements to ensure that they are properly rated in accordance with 15 CFR Section 700.12. Include the appropriate priority rating for the order, consisting of the rating symbol (i.e., DO), and the program identification symbol (e.g., N7)

For GSA's rated orders, the approved priority rating symbol is "DO"

For Telework Support IT and Emergency Healthcare products, the appropriate program identification symbol is "N1" For cleaning supplies, the appropriate program identification symbol is "N7".

Thus, an order for hand sanitizer will contain a "DO-N7" priority rating.

Identify a required delivery date. The words "immediately" or "as soon as possible" are not acceptable. The delivery date identified should be reasonable reflecting on the information gathered from contacting vendors

Include FAR Provision 52.211-14 Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use. Please note this is a fill-in provision, and must be checked as a "DO" rated order□



Validate Priority Ratings - Review the requirements to ensure orders are properly rated

- Include FAR Clause 52.211-15
- · Authorized written or digital signature
- Include the statement "This rated order is placed for the purpose of emergency preparedness. It must be accepted or rejected within one (1) working day"



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- 4. Include FAR Clause 52.211-15 Defense Priority and Allocation Requirements
- 5. Include Authorized written or digital signature
- 5. Include the statement "This rated order is placed for the purpose of emergency preparedness. It must be accepted or rejected within one (1) working day."



Acceptance and Rejection - Per the DPAS a vendor must accept or reject a rated order

• Vendors may reject orders if unable to fill by the required delivery date and the vendor must provide the reason(s) for the rejection.



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A vendor must either accept or reject a rated order according to the DPAS regulations

Vendors may reject orders if unable to fill by the required delivery date. If a rated order is rejected, the vendor must provide the reasons for the rejection. Scheduling conflicts with previously accepted lower rated or unrated orders is not sufficient reason for rejection.



Subcontractors - Vendors are not required to flow down priority rated orders to subcontractors for orders less than \$125,000, provided that delivery can be obtained in a timely fashion without the use of a priority rating

GSA.

PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID. 19)



Fulfillment

- If a vendor has received a rated order and subsequently finds that shipment or performance will be delayed, the company must notify the contracting officer immediately
- The vendor must provide the reasons for delay and advise of a new shipment or performance date
- If the notification is given verbally, written confirmation (electronic format is acceptable) must be provided within one (1) working day of the verbal notice



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Reporting

- To meet Department of Commerce reporting requirements, authorized GSA contracting activities must provide monthly reports on the use of DPAS rated orders to OGP using the <u>DPAS Reporting Google Sheet</u>
- It is recommended to have a tracking system so that the appropriate documentation is completed and the decisions and reasons are clearly explained



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019



Reporting

- It is also recommended to keep notes along the way and complete all documentation within one (1) week of award
- Orders placed using this authority shall also be reported in FPDS using the national interest action code P20C in accordance with SPE Memo SPE-2020-07



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID. 19)



Sample Rated Order Contract Language - Telework Support IT/Emergency Healthcare IT

- a. This is a priority rated order for telework support IT/emergency healthcare IT equipment in support of GSA's approved COVID-19 Emergency Program, the priority rating is "DO-N1"
- **b. The required delivery date for this requirement is** [Contracting Officer insert delivery date]



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The next series of slides include sample contract language for Rate Orders for both Telework Support IT, Emergency Healthcare Equipment, and Cleaning Supplies.

The full text of these examples can be found in Attachment E to Acquisition Letter MV-20-05 Placing Rated Orders Under the Defense Priorities and Allocation System for Novel Coronavirus Disease 2019 (COVID-19) - Dated March 19, 2020.



Sample Rated Order Contract Language - Telework Support IT/Emergency Healthcare IT

c. FAR Provision 52.211-14 Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use. (Apr 2008)

Any contract awarded as a result of this solicitation will be DO rated order certified for national defense, emergency preparedness, and energy program use under the Defense Priorities and Allocations System (DPAS) (15 CFR 700), and the Contractor will be required to follow all of the requirements of this regulation



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019



Sample Rated Order Contract Language - Telework Support IT/Emergency Healthcare IT

d. FAR Clause 52.211-15 Defense Priority and Allocation Requirements (Apr 2008)

This is a rated order certified for national defense, emergency preparedness, and energy program use, and the Contractor shall follow all the requirements of the Defense Priorities and Allocations System regulation (15 CFR 700)

e. This rated order is placed for the purpose of emergency preparedness. It must be accepted or rejected within one (1) working day, see 15 CFR 700.13(d)(2)



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID-19)



Sample Rated Order Contract Language - Cleaning Supplies

- a. This is a priority rated order for cleaning supplies in support of GSA's approved COVID-19 Emergency Program, the priority rating is "DO-N7"
- b. The required delivery date for this requirement is [Contracting Officer insert delivery date]



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Sample Rated Order Contract Language - Cleaning Supplies

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Any contract awarded as a result of this solicitation will be DO rated order certified for national defense, emergency preparedness, and energy program use under the Defense Priorities and Allocations System (DPAS) (15 CFR 700), and the Contractor will be required to follow all of the requirements of this regulation.

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Sample Rated Order Contract Language - Cleaning Supplies

d. FAR Clause 52.211-15 Defense Priority and Allocation Requirements (Apr 2008)

This is a rated order certified for national defense, emergency preparedness, and energy program use, and the Contractor shall follow all the requirements of the Defense Priorities and Allocations System regulation (15 CFR 700)

e. This rated order is placed for the purpose of emergency preparedness. It must be accepted or rejected within one (1) working day, see 15 CFR 700.13(d)(2)



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Requirements



Training - Authorized GSA contracting officers should familiarize themselves with the DPAS policies and procedures prior to placing rated orders. Training and information is available as noted below.

- FAR 48 CFR Subpart 11.6
- GSAR 48 CFR Subpart 511.6
- DOC 15 CFR Part 700
- DOC DPAS Training Course



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

Resources



GSA Delegation of Authority Order ADM 5450.173

<u>Department of Commerce DPAS Information</u>

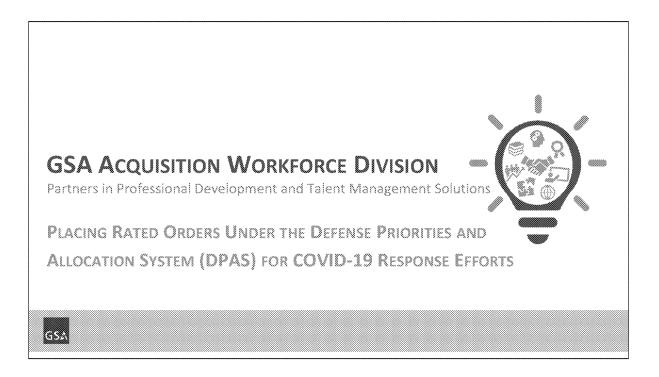
<u>Department of Commerce DPAS Training for Companies</u>

Public Health Emergency Topic Page

GSA-specific Information on COVID-19



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019



This presentation provides guidance on placing rated orders under the Defense Priorities and Allocations System (DPAS) to ensure continuity of Government operations for the Novel Coronavirus Disease 2019 (COVID-19).

GSA's Role in Responding to COVID-19



GSA has a vital role in protecting human life and Federal property. In that role, authorized contracting officers may need to place rated orders to acquire key items for essential operations of Federal buildings or other Government functions.



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID 14)

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As described in SPE Memo SPE-2020-06, GSA has a vital role in protecting human life and Federal property through the GSA supply system during the COVID-19 emergency.

The General Services Acquisition Manual (GSAM) subpart 511.6 states: \[\proceed \text{Pursuant} \] to the Defense Priorities and Allocations System (DPAS) Delegation 3, the Department of Commerce (DOC) has delegated to GSA the authority to use the DPAS under certain conditions. DPAS Delegation 3 restricts use of DPAS authority to GSA supply system procurement in support of the Department of Defense (DoD), Department of Energy (DoE), and Federal Emergency Management Agency (FEMA) approved programs.

In that role, contracting officers may need to place rated orders to acquire key items for essential operations of Federal buildings or other Government functions.

Common supplies that may be needed include: 1) hand sanitizer, disinfectants, cleaning gloves and so forth to keep buildings safe and habitable to the public, and 2) laptop computers, accessories, and other IT products to support sharply increasing levels of telework.

What is the Defense Production Act?



- The Defense Production Act of 1950 (DPA):
 - The DPA was enacted at the start of the Korean War as part of a broad war and civil defense mobilization effort.
 - The DPA was created to ensure the availability of the country's industrial resources to address national security requirements.
 - President's primary authority to mobilize resources and expedite critical industrial items for national defense, including materials, services, and facilities
 - Requires priority in acceptance and priority in scheduling



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID-19)

3

National defense includes emergency preparedness activities conducted pursuant to Title VI of the Stafford Act and critical infrastructure protection and restoration.

Title 1 of the DPA is the statutory basis for the National Defense Resources Preparedness Executive Order (Executive Order 13603) and the DPAS Regulation (15 CFR Part 700).

The definition also includes emergency preparedness activities conducted pursuant to Title VI of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195, et seq.) and critical infrastructure protection and restoration.

What is DPAS?



- The Defense Priorities and Aliocations System (DPAS) was established after the
 Defense Production Act of 1950, designed primarily to ensure the timely
 availability of industrial resources to meet national defense and emergency
 preparedness requirements
- As an agency with DPAS rating authority, GSA is authorized to establish procedures for the placement, acceptance, and performance of rated orders



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COMP.) 101

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The Defense Priorities and Allocations Systems, or DPAS was established to provide U.S. Government agencies a procedure and authority to ensure the timely availability of industrial resources to meet national defense and emergency preparedness requirements.

DPAS is administered by the Department of Commerce and provides authority to U.S. Government agencies (and other authorized persons/entities) to order priority performance on contracts and orders as well as allocate materials to meet national security requirements.

The Department of Commerce has delegated GSA an authority to place priority ratings on contracts/orders when necessary and appropriate to promote the national defense. This authority allows GSA for the placement, acceptance, and performance of rated orders.

What is a Rated Order?



- A rated order is a contract or order placed in support of a national defense program that takes precedence over all unrated orders, when necessary to meet delivery dates specified in the rated order
- Rated orders provide for preferential acceptance and performance, such as expedited delivery or priority fulfillment, for materials and services to support emergency preparedness and emergency response activities



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

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A rated order is a prime contract, a subcontract, or a purchase order issued in accordance with the provisions of the DPAS regulation that supports an approved program.

Rated orders take preference over all unrated orders as necessary to meet required delivery dates; therefore, persons are required to reschedule unrated orders if they conflict with performance against a rated order.

Companies who receive rated orders must in turn place rated orders with their suppliers for the items they need to fill these orders.

How was the DPAS Authorized?



- The DPAS was established pursuant to the the Defense Production Act of 1950
- Executive Order 13603 established the Departments of Homeland Security (DHS),
 Defense (DOD), and Energy (DOE) as the responsible agencies to determine DPAS eligibility
- An Emergency Declaration to respond to COVID-19 was made on March 13, 2020
- DHS, through FEMA, determined GSA's emergency response program for COVID-19 was eligible for use of the DPAS on March 14, 2020
- On March 16, 2020 GSA was authorized to provide telework emergency response equipment and cleaning supplies for GSA's response and recovery activities



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID-19)

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Title 1 of the Defense Production Act (DPA) is the statutory basis for the DPAS. The DPA established the DPAS to prioritize national defense related orders throughout the U.S. supply chain in order to support various activities, including emergency preparedness.

The DPA's definition of "national defense" includes programs for: Military, energy production, construction, critical infrastructure assistance to any foreign nation, homeland security, stockpiling, space, and any directly related activity

The use of this authority by the government is not rare. DoD estimates it invokes the law over 300,000 times per year, while DHS, including FEMA, placed over 1,000 rated orders in 2018. DPAS does not allow the government to take over the operations of a company. The law simply allows an authorized agency's order to "jump ahead" of other clients, to complete the government's order by a specific date.

The definition also includes emergency preparedness activities conducted pursuant to Title VI of The Robert T. Stafford Disaster Relief and Emergency Assistance Act and critical infrastructure protection and restoration.

In response to the COVID-19 pandemic an Emergency Declaration invoking the Stafford Act was made by the President on March 13, 2020.

What Types of Rated Orders May GSA Issue?



- There are two levels of priority established by DPAS regulation, identified by the rating symbols "DX" and "DO"
- Primarily, the Administrator is delegated authority to place DO (Critical to national defense) priority rated contracts.
 - All DO rated orders have equal priority and take preference over unrated orders (based on ship schedule)
- The Administrator may place DX (Highest National Urgency) priority rated contracts and orders in direct support of those Department of Defense (DOD) or Department of Energy (DOE).
 - All DX rated orders have equal priority and take preference over DO and unrated orders (based on ship schedule)



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

7

GSA personnel, GSA contractors, and recipients of rated orders must use the right program identification symbol as authorized by the appropriate resource agency.

GSA's Role in Supporting Client Agency Priority Ratings under DPAS



- Upon determining the needs, GSA provides priority assistance, through the GSA Global Supply, can place priority ratings, DO and DX, on rated orders for DoD, DoE, and DHS (FEMA)
- These requirements for industrial resources normally come in through the requisition system
 - GSA Global Supply centers are authorized to place rated orders for these entities as DO and DX
- Rated orders through the GSA Global Supply can include the special authorities for COVID-19 and many other critical needs of DoD, DoE, or FEMA
 - GSA, GSA personnel, GSA contractors, and recipients of rated orders must use the same program identification symbol as authorized by the appropriate resource agency



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID-19)

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GSA personnel, GSA contractors, and recipients of rated orders must use the right program identification symbol as authorized by the appropriate resource agency.

Place priority ratings on contracts and orders for industrial resources needed to implement any program related to food resources, energy resources, health resources, civil transportation, or water resources determined by the Secretary as necessary or appropriate to promote the national defense and authorized for priorities support by the appropriate resource agency (i.e., the Departments of Agriculture, Energy, Health and Human Services, Transportation, or Defense).

What special authority does GSA have to good order Under DPAS specific to COVID-19?

GSA is authorized to order supplies for response and recovery activities from present through March 31, 2022, or until the Emergency Declaration is rescinded.

Rated orders from GSA are only authorized for three categories of products:

- · Cleaning Supplies
- Telework Support IT
- Emergency Healthcare IT



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID-19)

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March 16, 2020 the Department of Commerce provided rating authorization to GSA on use of the DPAS to provide telework equipment and cleaning supplies for GSA's response and recovery activities. Cleaning Supplies, IT Telework Products, and Healthcare IT Product.

The authority to order these supplies using rated orders runs from present time through March 31, 2022 or until the Emergency Declaration under the Stafford Act is rescinded by the President.

Please note: All Federal agency requests for personal protective equipment (PPE) must be worked by their own agency. FEMA is not taking requests from other Federal agency unless the agency is supporting a FEMA mission and needs critical supplies to meet the mission. Federal agencies can use any of GSA's vehicles to assist them in meeting their mission. The National Response Coordination Center (NRCC) is managing acquisition requests for PPE. Contracting Officers should direct acquisition requests for PPE to the NRCC.

Cleaning Supply Products



Cleaning supplies are identified by the priority rating symbol DO-N7 on contracts or orders. Examples of these products include:

- · Disinfecting Wipes
- Cleaning Gloves
- Hand Sanitizer
- · Bathroom/Toilet Cleaner
- * Click here for a full list of GSA approved/EPA registered products



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

IT Support Products



IT Support Products are supplies identified by the priority rating symbol DO-N1 on contracts or orders. Examples of these products include:

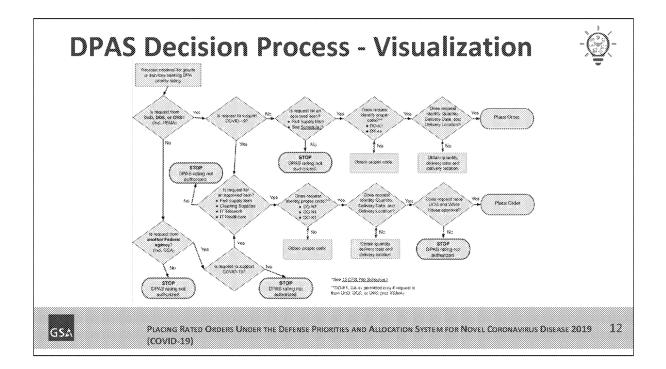
Telework Support IT

Emergency Healthcare IT

- Telecom Network Equipment and Circuits
- Wireless Priority Services (WPS)
- Wireless First Responders Solutions
- Personal Identity Verification (PIV)
- Government Emergency Telecommunications Service (GETS)
- Laptops/Desktops/Tablets
- Virtual Private Networks (VPN)
- Cloud Storage
- Remote Access Capability (SIN 518210C/132-40 cloud products)
- All-in-one Printers



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019



DPAS Decision Checklist



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1.	. What items are agencies looking to procure ☐ Type/description			
	 	Location(s) (of existing items, or of anticipated manufacture)		
		Quantity		
	ū	Required delivery date		
2.	. Mai	Manufacturer information for procured items including		
		Company name		
		Contact information (including HQ address & Description of Manufacture/storage)		
		Percentage of total output this DPA order represents		
655		PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 26	13	

DPAS Decision Checklist



- 3. Justification for DPA invocation
 - ☐ Intended recipient of items (provide specific details)
 - ☐ Federal stockpile
 - ☐ State or local governments
 - ☐ Healthcare system
 - ☐ First responders
 - Critical infrastructure
 - ☐ Intended delivery location



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

DPAS Decision Checklist



3. Justification for DPA invocation (Continued)

Specific need(s) to be met by demanded items

Verified that items at issue will fill that specific need?

Possible substitutes if requested resource is not fully available?

Why are these items being procured through DPA?

Other procurement options explored?

Substitute items explored?

Why is the specific DPA authority invoked being used?

Why rated order vs. allocation order?

Why type of rating order requested (DX, DO, etc.)

DPAS Decision Checklist 4. Impacted interests, to the extent known International contracts Government Commercial Domestic contracts State and local Other federal Hospital Other commercial 5. Potential supply-chain effects (Analysis of information provided in #4

PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

above)

GSA

Additional Questions to Consider

Quantity

- How did you arrive at quantity?
- What are your assumptions?

Delivery Date

- Is the entire quantity needed immediately or can it be phased?
- If so, how soon do you need the first tranche? What do you need week 1, 2, 3...
- If there is a phased approach, how long would delivery be stretched?

Location

- Where will materials be sent? Multiple locations?
- If applicable. Do you know where you will store the materials?
- Do you have the capacity to field the items?



Requirements for Placing Ratings



On March 27, 2020 an Executive Order on on Delegating Additional Authority Under the DPA which created a new process requiring GSA to request approval for priority rating through FEMA by the Unified Coordination Group (UCG) and the White House Task Force (WHTF)

COs must send priority rating requests to the Joint DPA Office (<u>DPA-UCG-Coordination@fema.dhs.gov</u>) and cc the GSA Senior Procurement (<u>spe.request@gsa.gov</u>). COs should complete the following <u>form</u> which should include succinct talking points

Requests must be approved by the UCG and WHTF <u>BEFORE</u> a priority rating can be placed on a contract



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID. 19)

RATING REQUEST Decision Flow



All Defense Production Act (DPA) requests must flow through the Unified Coordination Group (UCG) at the National Response Coordination Center (NRCC) for BCG NYdst notify the White House before approving a DPA

- Normal Path Daily WH Task Force Meeting will review all DPA requests submitted at least 24 hours in advance of meeting
- Expedited Path For Immediate Approvals, Flow through Senior WH Leadership (min. 1 hour review period)

Emergency Circumstances — In circumstances where delay in a DPA decision may result in danger to life or health, FEMA may need to act immediately to authorize DPA use, while notifying the UCG and WH leadership in real-time and back briefing the WHTF later



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID-19)

COVID-19 UCG/WHTF REQUEST FORM



Helpful hints on information requested for UCG/WHTF:

SITUATION:

- Use bullets with short and simple sentences. Use plain English terms with no acronyms.
- Provide high level information that can be briefed to the UCG in under five minutes. This is sometimes called "elevator speech".
- o Information must be as accurate as possible. Site your source, when possible

AUTHORITY REQUESTED:

 Identify the specific DPA authority being requested (e.g. Use Title 1 DPA authority for Emergency Response IT to Support Healthcare (DO-N1);
 Emergency Response IT to Support Telework (DO-N1), or Cleaning Supplies (DO-N7) included in the inclosed list)



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

Who Can Place a Rated Order?



The GSA Administrator delegated authority to place DO and DX rated orders for approved DoD, DOE and DHS programs to:

- The Commissioner of the Federal Acquisition Service (FAS)
- This authority was re-delegated to
 - The Assistant Commissioner for General Supplies and Services Categories (GSS)
 For the Emergency Contracting Division;
 - The Assistant Commissioner for Assisted Acquisition Services
 For the the Federal Civilian Group within the Federal Systems Integration and Management Center



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID.19)

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The delegations manual, chapter 4, part 3 paragraph (p) authorizes the longstanding authorities for GSS and TTL to place DO an DX orders for approved DoD, DHS and DOE programs.

On March 17, 2020, the AC for General Supplies and Services was delegated authority to place rated orders for IT telework equipment and cleaning supplies. The GSS Central Office Acquisition Division (QSAB) within the Office of General Supplies and Services (QS) was identified as the contracting organization to support all of these purchases.

The GSS Central Office Acquisition Division (QSAB) within the Office of General Supplies and Services (QS) has the sole contracting authority to award DPAS rated orders to ensure continuity of Government operations for COVID-19. While QSAB may request contracting support from other FAS contracting activities, only QSAB is authorized to award DPAS rated orders. Note that GSA Global Supply will place DPAS-rated requisitions from authorized customers to the contractors.

FAS contracting activities should forward customer requests for DPAS rated orders to QME at covid19support@gsa.gov In order to establish the coordination and assigning of customers and FAS-funded acquisitions in direct support of the COVID-19 response, FAS issued Procurement Information Notice (PIN) 2020-01 FAS Acquisitions in Support of the Novel Coronavirus Disease 2019 Pandemic Response. Please refer to PIN 2020-01 for information of how customers will be assigned, the type of contracting activities authorized, and additional resources.

The Senior Procurement Executive is also required to issue policies and procedures to monitor the acquisitions that carry a priority rating, identify any allegations of DPAS violations for reporting to the Department of Commerce, Bureau of Industry and Security (DOC/BIS), and monthly reporting to the DOC/BIS on the contracts assigned priority ratings and their dollar value.

Who Can Place a Rated Order?



GSA Global Supply has pre-existing authority to place rated orders on behalf of DoD, DoE, and FEMA

The GSA Administrator delegated authority to place DO rated orders for COVID response to:

The FAS Commissioner and the GSS AC.

GSS Central Office Acquisition Division (QSAB) has been delegated contracting authority to award DPAS rated orders to ensure continuity of Government operations for COVID-19. While QSAB may request contracting support from other FAS contracting activities, only OSAB is authorized to award DPAS rated orders.



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

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On March 17, 2020, the AC for General Supplies and Services was delegated authority to place rated orders for IT telework equipment and cleaning supplies. On March 25, they were also delegated authority to place rated orders for IT for healthcare.

The GSS Central Office Acquisition Division (QSAB) within the Office of General Supplies and Services (QS) has the sole contracting authority to award DPAS rated orders to ensure continuity of Government operations for COVID-19. While QSAB may request contracting support from other FAS contracting activities, only QSAB is authorized to award DPAS rated orders. Note that GSA Global Supply will place DPAS-rated requisitions from authorized customers to the contractors. FAS contracting activities should forward customer requests for DPAS rated orders to QME at covid19support@gsa.gov In order to establish the coordination and assigning of customers and FAS-funded acquisitions in direct support of the COVID-19 response, FAS issued Procurement Information Notice (PIN) 2020-01 FAS Acquisitions in Support of the Novel Coronavirus Disease 2019 Pandemic Response. Please refer to PIN 2020-01 for information of how customers will be assigned, the type of contracting activities authorized, and additional resources.

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Who Can Place a Rated Order?



The General Supplies and Services Categories (GSS) Internal Acquisition branch will provide COVID-19 contracting support to assist GSA's internal and external customers. Customer requirements should be sent to covid19support@gsa.gov

GSS will also serve as a backup should FEMA not be able to establish normal logistical coordination for incoming requirements. A dedicated support email exists for these orders coming directly from FEMA - fema.acquisitions@gsa.gov

Please note - PPE requests from Federal agencies will only be fulfilled by FEMA if that agency is supporting a FEMA mission. These requests should be sent to - fema-nrcc-rcbd@fema.dhs.gov



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

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Incoming customer requirements should be sent to covid19support@gsa.gov, a dedicated email site to manage the incoming procurement requests from outside agencies or PBS. FAS Emergency Management Program Management office (QME) will review the requirements and assign to GSS's Internal Acquisitions branch (QSABB) contracting staff or to a contracting office elsewhere in FAS with the appropriate expertise.

It's important to remember that this is the backup process should FEMA and HHS not be able to establish the normal logistical coordination for incoming requirements. If that happens, the same processes apply, but will be coming from FEMA directly to the dedicated FEMA support email - fema.acquisition@gsa.gov.

All assisted acquisition Personal Protective Equipment (PPE) requests from agencies that are supporting a FEMA mission should be directed to FEMA at the following email: fema-nrcc-rcbd@fema.dhs.gov. Please remember that FEMA is only taking requests from other Federal agency if that agency is supporting a FEMA mission and needs critical supplies to meet the mission. PPE requests from agencies NOT supporting a FEMA mission must be worked by their own agency.

Additionally, all donations from other agencies should also go to: fema-nrcc-rcbd@fema.dhs.gov. []



Authorized GSA contracting officers can place rated orders under the DPAS for GSA's emergency response program for COVID-19 activities subject to the following requirements:

- Contact Existing Vendors
- · Validates Priority Ratings
- · Acceptance and Rejection
- Customer Notification Requirements
- Subcontractors
- Fulfillment
- Reporting
- Training



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID.19)



Contact Existing Vendors

- Existing Government sources of supply should be considered first
- Confirm if the required supplies are available
- Phone a reasonable number of sources and explain that a rated order will take
 priority over other orders in the pipeline and the supplier must accept or reject the
 order
- Confirm available delivery time and pricing
- Inform the source that written acceptance is required



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

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Existing Government sources of supply and contract vehicles should be considered first. Check to see if the required supplies are available. Phone a reasonable number of sources and explain this will be a rated order which would take priority over other orders in the pipeline. Confirm available delivery time and pricing. Inform the source that written acceptance is required. A "priority rating" placed on a contract or purchase order notifies a supplier that a contract is supporting a national defense program (including emergency preparedness requirements) and that the supplier must accept and give the order priority, as necessary to meet the required delivery requirement of each rated order.



Validate Priority Ratings - Review the requirements to ensure orders are properly rated

- Include the priority rating, DO-N1 (Telework Support IT/Emergency Healthcare IT Products) and DO-N7 (Cleaning Products)
- Identify a required delivery date
- Include FAR Provision 52.211-14



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

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Review the requirements to ensure that they are properly rated in accordance with 15 CFR Section 700.12. Include the appropriate priority rating for the order, consisting of the rating symbol (i.e., DO), and the program identification symbol (e.g., N7)

For GSA's rated orders, the approved priority rating symbol is "DO"

For Telework Support IT and Emergency Healthcare products, the appropriate program identification symbol is "N1" For cleaning supplies, the appropriate program identification symbol is "N7".

Thus, an order for hand sanitizer will contain a "DO-N7" priority rating.

Identify a required delivery date. The words "immediately" or "as soon as possible" are not acceptable. The delivery date identified should be reasonable reflecting on the information gathered from contacting vendors

Include FAR Provision 52.211-14 Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use. Please note this is a fill-in provision, and must be checked as a "DO" rated order □



Validate Priority Ratings - Review the requirements to ensure orders are properly rated

- Include FAR Clause 52.211-15
- Authorized written or digital signature
- Include the statement "This rated order is placed for the purpose of emergency preparedness. It must be accepted or rejected within one (1) working day"



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019.

- 4. Include FAR Clause 52.211-15 Defense Priority and Allocation Requirements
- 5. Include Authorized written or digital signature
- 5. Include the statement "This rated order is placed for the purpose of emergency preparedness. It must be accepted or rejected within one (1) working day."



Acceptance and Rejection - Per the DPAS a vendor must accept or reject a rated order

• Vendors may reject orders if unable to fill by the required delivery date and the vendor must provide the reason(s) for the rejection.



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

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A vendor must either accept or reject a rated order according to the DPAS regulations

Vendors may reject orders if unable to fill by the required delivery date. If a rated order is rejected, the vendor must provide the reasons for the rejection. Scheduling conflicts with previously accepted lower rated or unrated orders is not sufficient reason for rejection.



Subcontractors - Vendors are not required to flow down priority rated orders to subcontractors for orders less than \$125,000, provided that delivery can be obtained in a timely fashion without the use of a priority rating

GSA.

PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID. 19)



Fulfillment

- If a vendor has received a rated order and subsequently finds that shipment or performance will be delayed, the company must notify the contracting officer immediately
- The vendor must provide the reasons for delay and advise of a new shipment or performance date
- If the notification is given verbally, written confirmation (electronic format is acceptable) must be provided within one (1) working day of the verbal notice



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID. 19)



Reporting

- To meet Department of Commerce reporting requirements, authorized GSA contracting activities must provide monthly reports on the use of DPAS rated orders to OGP using the <u>DPAS Reporting Google Sheet</u>
- It is recommended to have a tracking system so that the appropriate documentation is completed and the decisions and reasons are clearly explained



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019



Reporting

- It is also recommended to keep notes along the way and complete all documentation within one (1) week of award
- Orders placed using this authority shall also be reported in FPDS using the national interest action code P20C in accordance with SPE Memo SPE-2020-07



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019



Sample Rated Order Contract Language - Telework Support IT/Emergency Healthcare IT

- A. This is a priority rated order for telework support IT/emergency healthcare IT equipment in support of GSA's approved COVID-19 Emergency Program, the priority rating is "DO-N1"
- B. The required delivery date for this requirement is [Contracting Officer insert delivery date]



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

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The next series of slides include sample contract language for Rate Orders for both Telework Support IT, Emergency Healthcare Equipment, and Cleaning Supplies.

The full text of these examples can be found in Attachment E to Acquisition Letter MV-20-05 Placing Rated Orders Under the Defense Priorities and Allocation System for Novel Coronavirus Disease 2019 (COVID-19) - Dated March 19, 2020.



Sample Rated Order Contract Language - Telework Support IT/Emergency Healthcare IT

C. c. FAR Provision 52.211-14 Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use. (Apr 2008)

Any contract awarded as a result of this solicitation will be DO rated order certified for national defense, emergency preparedness, and energy program use under the Defense Priorities and Aliocations System (DPAS) (15 CFR 700), and the Contractor will be required to follow all of the requirements of this regulation



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019
(COVID-19)



Sample Rated Order Contract Language - Telework Support IT/Emergency Healthcare IT

E.	This rated order is placed for the purpose of emergency preparedness. It must		
v. ec.	Defense Priorities and Allocations System regulation (15 CFR 700)		
the	energy program use, and the Contractor shall follow all the requirements of		
and	This is a rated order certified for national defense, emergency preparedness,		
D. 2008)	FAR Clause 52.211-15 Defense Priority and Allocation Requirements (Apr		

652

be

, see 15 CFR 700.13(d)(2)

PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID-19)



Sample Rated Order Contract Language - Cleaning Supplies

- A. This is a priority rated order for cleaning supplies in support of GSA's a pprovedCOVID-19 Emergency Program, the priority rating is "DO-N7"
- B. The required delivery date for this requirement is [Contracting Officer insert delivery date]



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID. 19)



Sample Rated Order Contract Language - Cleaning Supplies

C. FAR Provision 52.211-14 Notice of Priority Rating for National Defense, Emergency

Preparedness, and Energy Program Use. (Apr 2008)

Any contract awarded as a result of this solicitation will be DO rated order certified for national defense, emergency preparedness, and energy program use under the

Defense Priorities and Allocations System (DPAS) (15 CFR 700), and the Contractor

will be required to follow all of the requirements of this regulation.



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019
(COVID 19)



Sample Rated Order Contract Language - Cleaning Supplies

FAR Clause 52.211-15 Defense Priority and Allocation Requirements (Apr
 2008)

This is a rated order certified for national defense, emergency preparedness, and energy program use, and the Contractor shall follow all the requirements of

the

Defense Priorities and Allocations System regulation (15 CFR 700)

E. This rated order is placed for the purpose of emergency preparedness. It must be



, see 15 CFR 700.13(d)(2)

PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019 (COVID-19)

Requirements



Training - Authorized GSA contracting officers should familiarize themselves with the DPAS policies and procedures prior to placing rated orders. Training and information is available as noted below.

- FAR 48 CFR Subpart 11.6
- GSAR 48 CFR Subpart 511.6
- DOC 15 CFR Part 700
- DOC DPAS Training Course



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019

Resources



GSA Delegation of Authority Order ADM 5450.173

<u>Department of Commerce DPAS Information</u>

<u>Department of Commerce DPAS Training for Companies</u>

Public Health Emergency Topic Page

GSA-specific Information on COVID-19



PLACING RATED ORDERS UNDER THE DEFENSE PRIORITIES AND ALLOCATION SYSTEM FOR NOVEL CORONAVIRUS DISEASE 2019